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SEP 30 2004

<b>RESPONSE TO OFFICE COMMUNICATION</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket Confirmation No.	10010186-1 8374
	First Named Inventor	Mauze
	Application Number	09/848,869
	Filing Date	May 4, 2001
	Group Art Unit	1634
	Examiner Name	Bradley J. Sisson
	Title	Electro-Optical Devices and Methods for Hybridization and Detection

Dear Sir:

This communication is responsive to the Office Communication dated September 22, 2004. The Office Communication set forth a one month period for reply. As such this response is timely filed.

The Office Communication requests that the Applicants point out where support for a probe having "an attached transition metal ligand complex", is found in the original disclosure.

In reply, the Applicants respectfully point out that support for this such a probe is found in several places in the specification, including: Fig. 3A (i.e., element 1 is a probe labeled with a transition metal ligand complex "ML"), page 7, line 11 ("a probe 1 labeled with a transition metal-ligand complex 2"), page 9, lines 1-2 ("transition metal-ligand complex 2 is shown as (ML) in the diagram and is attached at the end of probe 1"), for example.

The Applicants note claims 7, 16 and 20 were amended to recite the phrase "an attached transition metal ligand complex" in the response filed on February 6, 2004, without issue.

The Applicants respectfully submit that the Office Communication dated September 22, 2004 has been adequately addressed. The Applicants again submit that all of the claims are in condition for allowance, which action is requested without any further delay.

Agilent Ref: 10010186-1  
United States Application Serial No. 09/848,869

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: September 30, 2004

By: 

James S. Keddie, Ph.D.  
Registration No. 48,920

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AGILENT TECHNOLOGIES, INC.  
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Intellectual Property Administration  
P. O. Box 7599  
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10010186-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mauze

Serial No.: 09/848,869

Examiner: Bradley L. Sisson

Filing Date: 05-04-2001

Group Art Unit: 1634

Title: ELECTRO-OPTICAL DEVICES AND METHODS FOR HYBRIDIZATION AND DETECTION

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
( ) Other: (fee \$ )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$86	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I heroby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below.

Date of Facsimile: 09-30-2004

Typed Name: Donna Macedo

Signature: 

Respectfully submitted,

Mauze

By 

Bret Field for Timothy Joyce

Attorney/Agent for Applicant(s)  
Reg. No. 37,620

Date: 09-30-2004

Telephone No.: (650) 485-4310